



Forest
Service

Rogue River-Siskiyou
National Forest

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File Code: 1230

Date: July 20, 2010

Route To:

Subject: Mount Ashland Ski Area Expansion

To: Regional Forester

The **Mount Ashland Ski Area (MASA)** is an existing winter sports recreation area located within the Siskiyou Mountains Ranger District on National Forest System lands, and is operated under special use authorization issued by the Rogue River-Siskiyou National Forest.

In September 2004, the Forest Service issued a Record of Decision (ROD) for the MASA expansion. The Forest Service (FS) received twenty-eight notices of appeal to the ROD and in December 2004, the FS denied all administrative appeals to the ROD. In January 2005, a suit was filed against the FS and Regional Forester seeking declaratory and injunctive relief claiming both NEPA and NFMA violations. On February 9, 2007, the District Court entered summary judgment for the FS. ONRC filed an appeal of the district court's judgment to the Ninth Circuit Court of Appeals. The Ninth Circuit remanded the case to the District Court and instructed it to promptly enjoin the MASA expansion project until the FS corrected the NFMA and NEPA violations found in Opinion CV-05-03004-PA. The compilation of the Supplemental EIS (SEIS) to correct the violations commenced in the summer of 2009. Currently, comment analysis from the DSEIS is being conducted. The projection for the Final SEIS is August, 2010.

The purpose and need for the SEIS is to analyze and correct specific shortcomings identified by the Ninth Circuit and to determine whether and to what extent analysis of new issues and information might alter the decision to allow ski area expansion. This action is needed to address the appropriateness of the previous decision and to be responsive to the Ninth Circuit Opinion and District Court Remand. After the comment period for the DSEIS is completed, those comments analyzed, and a Final SEIS completed, it will then be determined if the decision remains unchanged from the original ROD.

The next step in this process requires Secretary approval because the expansion consists of removing 71 acres of trees, 40 acres of which are within the McDonald Peak Inventoried Roadless Area. The Mount Ashland Ski Area Expansion project is 'roadless rule neutral' because the project decision and implementation would be the same both inside and outside of the IRA, requiring the cutting of 71 acres of trees regardless of IRA boundaries. The project does not meet any of the criteria for re-delegation to the forest as delineated in the October 16, 2009 memo from Joel Holtrop.



I respectfully request Secretary of Agriculture approval for the next stage of this process, which would be either the signing of a second decision, if appropriate, or the issuance of a Special Use Permit.

/s/ Scott D. Conroy
SCOTT D. CONROY
Forest Supervisor

cc: Tom Hussey
Donna Mickley